

U.S. Patent Application Serial No. **09/942,582**
Amendment dated August 3, 2004
Reply to OA of **May 3, 2004**

REMARKS:

Claims 1-7 are currently pending, none of which have been amended. No new claims have been added. It is respectfully believed that no new matter has been introduced.

Information Disclosure Statement:

In the Office Action mailed May 3, 2004, the Examiner notifies the Applicant that item (AF) in the Information Disclosure Statement filed on October 26, 2001 does not include a concise explanation of relevance. Applicant thanks the Examiner for this notification. Applicant respectfully submits herewith an English-language Abstract corresponding to item (AF) in the Information Disclosure Statement dated October 26, 2001.

The enclosed English language Abstract, corresponding to Japanese Publication Number 09-330458 and item (AF), is respectfully believed to satisfy the requirements for an Information Disclosure Statement as described in 37 CFR 1.98, and as described in MPEP 609 (III.A.3) which states that "Submission of an English language abstract of a reference may fulfill the requirement for a concise explanation."

Thus, in view of the foregoing remarks and enclosed English-language Abstract, Applicant respectfully requests that the Examiner consider item (AF) listed in the IDS filed on October 26, 2001, and sign the corresponding Form PTO-1449.

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Before turning to the cited art, a brief review of the present invention is in order. The present invention includes a locker system with a locker, an electronic lock, a control unit, and a reader, and additional features. The control unit is connected to a locker managing center through a communication line. In order to deposit luggage, a depositor (user) must have an identifier that has been preliminarily determined by a contract between a managing company of the locker and the depositor. A depositor who deposits a piece of luggage can select the type of recipient of the luggage: either a specific individual or a specific group.

Independent claim 1 sets forth “a reading means for electrically reading a depositor identifier ... preliminarily determined by a contract between a managing company of the locker and a user of the locker” and “wherein the luggage depositing process and luggage taking-out process to and from the locker are carried out based upon only the ... identifier”, in combination with the other claimed features.

Independent claim 3 sets forth “a reading means for electrically reading a depositor identifier ... preliminarily determined by a contract between a managing company of the locker and a user of the locker” and “wherein the luggage depositing process and luggage taking-out process to and from the locker are carried out based upon only the ... identifier”, in combination with the other claimed features.

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Claims 1-7:

Claims 1-7 stand rejected under 35 U.S.C. 103(a) as obvious over USP 5,223,829
(**Watabe**) in view of USP 6,367,696 (**Inamitsu**).

Applicant respectfully traverses this rejection.

The Examiner has alleged that **Watabe** and **Inamitsu**, in combination, teach or suggest the features set forth in independent claims 1 and 3 of the present invention. Applicant respectfully disagrees with the Examiner's allegations, for the reasons shown below.

According to the teachings of **Watabe**, a person who *removes* an item from a locker is required to have a "previously assigned" registration card, whereas a person who *deposits* an item into a locker is not required to have such a "previously assigned" registration card.

Removing items from a locker is discussed in **Watabe** as follows. The "dispatch mode" on the right-hand side of FIG. 4, which shows how a resident can remove an item from a locker, and which shows the following steps: push dispatch button; insert and withdraw card; and input ID no. Thus, a previously assigned registration card is needed to remove an item from a locker (col. 5, lines 35-42).

Depositing items into a locker is discussed in **Watabe** as follows. The person who *deposits* an item into a locker is not required to have such a “previously assigned” registration card. Furthermore, the depositor does not need to have a depositor identifier that has been preliminarily determined by a contract between a managing company of the locker and the depositor. See, for example, the “delivery mode” on the left-hand side of FIG. 4, which shows how a person can put an item into a locker, and which shows the following steps: start, push delivery button, input house no., push box-type selection button. Thus, no assigned registration card is required to remove items from a locker.

The deposit of items into lockers is described in minute detail in four examples discussed in **Watabe**. In each of these examples, there is not a scintilla of evidence showing that the depositor is required to own, possess, or utilize a depositor identifier that has been preliminarily determined by a contract between a managing company of the locker and the particular person. In **Watabe**, see Example 1 (col. 9, lines 3-40), Example 2 (col. 9, line 41 to col. 10, line 53), Example 3 (col. 10, line 54 to col. 11, line 23), and Example 4 (col. 11, line 24 to col. 12, line 5).

According to **Watabe**, the things that a depositor must do include basic steps such as push delivery button 16a (FIG. 4, Step A), push button(s) corresponding to house number or

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apartment number (FIG. 4, Step B), push button(s) corresponding to a size of a desired locker (FIG. 4, Step C), and put the item in the locker. See FIG. 4 and col. 6, lines 8-50.

With reference to **Watabe**, the Examiner appears to rely “an input identification code” (col. 2, lines 52-54). However, this input identification code corresponds to either a house number or a desired locker size, but not to the “depositor identifier” as set forth in independent claims 1 and 3 of the present invention.

In order for the first person to put the clean laundry into the **Watabe** locker, the first person only needs to press delivery key 16a, and then put the laundry in the locker (col. 6, lines 8-36; col. 9, line 7; FIG. 2). In this example, the “first person” would be a depositor who does not have a depositor identifier that has been preliminarily determined by a contract between a managing company of the locker and the first person.

According to the teachings of **Watabe**, any person in the world can place an item in the **Watabe** locker, with the idea being that only the person taking the item out of the locker will need some type of “previously assigned” registration card.

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In **Inamitsu**, a microcomputer 2 collects electronic money corresponding to prices of products purchased, but the “depositor identifier” as claimed is neither described, taught, or suggested. **Inamitsu** fails to remedy the above-described deficiencies of **Watabe**.

It would not have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the teachings of **Watabe** and **Inamitsu** in order to arrive at the claimed inventions.

In view of the foregoing, the proposed combination of **Watabe** and **Inamitsu**, as set forth in the Office Action dated May 3, 2004, fails to describe, teach, or suggest the “depositor identifier” and other features of claims 1 and 3, for the reasons discussed above. Claims 2 and 4-7 depend directly or indirectly from claim 1 and/or claim 3.

Watabe and **Inamitsu**, alone or in combination, do not describe, teach, or suggest the following features of claim 1: “a reading means for electrically reading a depositor identifier ... preliminarily determined by a contract between a managing company of the locker and a user of the locker”; and “wherein the luggage depositing process and luggage taking-out process to and from the locker are carried out based upon only the ... identifier” in combination with the other claimed features.

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Watabe and Inamitsu, alone or in combination, do not describe, teach, or suggest the following features of claim 3: “a reading means for electrically reading a depositor identifier ... preliminarily determined by a contract between a managing company of the locker and a user of the locker”; and “wherein the luggage depositing process and luggage taking-out process to and from the locker are carried out based upon only the ... identifier” in combination with the other claimed features.

Thus, Applicant respectfully submits that this rejection should be withdrawn.

In view of the aforementioned remarks, claims 1-7 are in condition for allowance, which action, at an early date, is requested.

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In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosure: English language Abstract of Japanese Pub. No. 09-330458